

Federal Hazardous Substances Act

Consumer Product Safety Commission Bethesda, MD March 16, 2005

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Purpose of the FHSA

- Requires cautionary labeling on immediate container and outer containers/wrappings of hazardous household substances to:
 - help consumers handle and use the products safely
 - give consumers information about immediate first aid steps to take if an accident occurs
- Allows Commission to ban products that are so hazardous that the labeling the act requires is not adequate to protect consumers

Definition of a Hazardous Substance

- Toxic, corrosive, an irritant, a strong sensitizer, flammable or combustible, or generates pressure through decomposition, heat or other means, **AND**
- May cause substantial personal injury or substantial illness during or as a proximate result of any customary or reasonably foreseeable handling or use, including ingestion by children

Exclusions from "Hazardous Substance" Definition

- FDCA-regulated substances
 - drugs
 - cosmetics
 - dietary supplements
 - foods
- FIFRA-regulated substances
 - insecticides
 - fungicides
 - rodenticides

What is a misbranded hazardous substance?

First Part of Definition

- Products can be found to meet the definition of toxic, corrosive, irritant, strong sensitizer, or flammable/combustible based on
 - Human experience (takes precedence)
 - Relevant data in animals
 - Using tests specified in regulations

Test Methods

- Flash point
 - 16 C.F.R. §1500.43a
- Flammability of self-pressurized containers
 - 16 C.F.R. §1500.45
- Flammable solids
 - 16 C.F.R. §1500.44

Test Methods (continued)

- Eye Irritant
 - 16 C.F.R. §1500.42
- Corrosive
 - 16 C.F.R. §1500.41
- Skin Irritant
 - 16 C.F.R. §1500.41
- Acute Dermal Toxicity
 - 16 C.F.R. §1500.40

Second Part of Definition

- Evaluation is specific to the individual product formulation
- Examples of things to consider
 - Consumer exposure to product during customary and reasonably foreseeable use and handling of product
 - Likelihood
 - Duration
 - Quantity
 - How consumers will use the product
 - How consumers will store the product

Label Requirements

- On Principal Display Panel (PDP):
 - Signal word
 - WARNING, CAUTION, DANGER
 - POISON for caustic poisons listed at 16 C.F.R. §1500.129 and highly toxic substances
 - Affirmative statement of principal hazard(s)
 - ex: HARMFUL IF SWALLOWED, CORROSIVE
 - Statement to read other cautions on another panel if all labeling is not on PDP

Label Requirements (continued)

- Name and place of business of the manufacturer, packer, distributor or seller
- Common or usual name or chemical name
- Precautionary measures to follow
- Instructions for first aid treatment when appropriate
- Instructions for handling and storage

Label Requirements (continued)

- "Keep out of the reach of children" or its practical equivalent
- Special labeling required by 16 C.F.R. §1500.14 for
 - Certain chemicals
 - Charcoal
 - Art materials
 - Additional items (fireworks, etc)

Label Requirements (continued)

- Certain substances declared to be caustic poisons
 - Require signal word "POISON" instead of common signal word
 - Listed at 16 C.F.R. §1500.129

Exemptions

- 16 C.F.R. §1500.83
- Exemptions for small packages and minor hazards
 - Ex: when the sole hazard presented by a selfpressurized product is that it generates pressure or is flammable/extremely flammable, the name of the component which contributes the hazard need not be stated

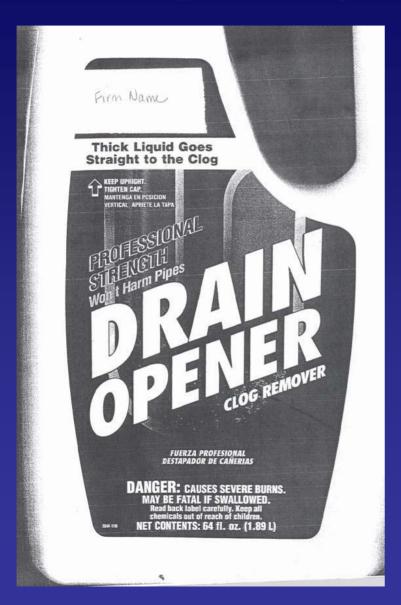
Suggested Label Format

- 16 C.F.R. §1500.121
- Prominence
 - parallel to base
 - kept together
 - -PDP
- Conspicuousness
 - type size
 - contrast
 - no interference from other graphics on label

Conspicuous label

- Type size large enough
- Good contrast
- No interference with other graphics
- Not cluttered
- Contains all required information

Example of good label design



Thick liquid formula designed to open clogged drains FAST. Pours through standing water straight to the clog. Will not harm disposals, septic tanks or pipes.

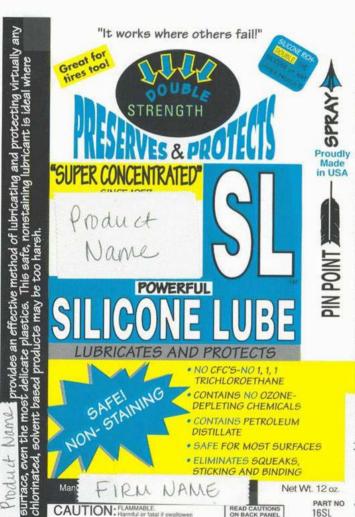
SAFE FOR ALL PIPES STEP 1: Place funnel into drain, STEP 2: Pour 1/4 bottle (16 ounces) slowly into funnel. Avoid contact with metal fittings, faucets and countertops, as damage may occur, STEP 3: Allow to work for 15 minutes. STEP 4: Flush with hot water. Repeat steps 1, 2, 3 and 4 if necessary. GARBAGE DISPOSALS: Follow STEPS 1, 2, 3 and 4. If drain does not clear. DO NOT TURN ON disposal as splashing may occur. Avoid splashing in eyes, on skin and on clothing. Do not use with plunger or in tollets. KEEP BOTTLE UPRIGHT DURING TRANSPORTATION AND STORAGE. ANY SURFACE HAT MAY BECOME DISCOLORED OR DAMAGED. DANGER: AVOID CONTACT WITH EYES. SKIN AND MUCOUS MEMBRANES. CAN BURN EYES, SKIN AND MUCOUS MEMBRANES ON CONTACT. Contains potassium hydroxide and sodium hypochlorite. Do not mix with ammonia, tollet bowl cleaners, other drain openers or any other chemicals as the release of hazardous gases or violent eruption may occur. If gases are released, leave norm immediately. Ventilate if possible. Do not re-enter area until odor is gone. KEEP OUT OF THE REACH OF CHILDREN AND PETS. FIRST AID: For any exposure, do the following and contact poison control center, physician or emergency room immediately. EYES: immediately rinse with water. If wearing contact ienses, remove lenses first and rinse eyes with clear running water for 15 minutes. IF SWALLOWED: Immediately rinse mouth with water, Drink a glassful of milk or water. Follow with citrus juice, if available. Do not induce vomiting. SKIN CONTACT: Remove contaminated clothing and rinse affected area in running water for 15 minutes Do not reuse empty container. Rinse container and replace cap before discarding. Keep bottle in upright position. ESPAÑOL: Su espesa fórmula liquida ha sido disendad para destapar las calierías RAPIDO. El liquido espeso se vierte con el agua directamente hacia el tapón. No daña dispensadores de basura, tanques sépticos o labos. SEGURO PARA TODOS LOS TUBOS PASO 1: Coloque el embudo dentro del desagüe. PASO 2: Vierta lentamente 1/4 botella (16 onzas) dentro del embudo PASO 1: Coloque o anima comissão de metal, grifos y superficies de muebles, ya que se podrían producti daños. PASO Evitar el comiscio del por 15 mínutos. PASO 4: Enjuague con agua callente. Repita los pasos 1, 2 y 3 si es necesario. 3: Deje que no grande en pasos 1, 2 y 3. Si el drenaje no se destapa, no encienda el dispensador ya que DISFERSAMENTA SAIpicaduras. Evite las saipicaduras en los ojos, piel o en la ropa. No use con el tapón o en los vasos SANITATIOS.

MANTENGA LA BOTELLA EN POSICIÓN VERTICAL DURANTE EL TRANSPORTE Y ALMACENAMIENTO. NO COLOQUE LA MANTENGA LA BUTCLLA LA FOMBRA, TAPICERÍA O CUALQUIER SUPERFICIE QUE SE PUEDA DESTENIR O DAÑAR. PELIGRO: EVITE EL CONTACTO CON LOS CJOS, LA PIEL Y MEMBRANAS MUCOSAS, PUEDE QUEMAR LOS CUOS, LA PIEL O LAS MEMBRANAS MUCOSAS CON EL CONTACTO. Contiene hidróxido de potasio e hipodorfio de sodio. No mezcle con amoniaco, limpladores de vasos sanitarios, o con otros destapadores de cafiertas o con cualquier otro producto químico ya que podrian liberarse gases dafinos o erupciones violentas. En el caso de que gases sean liberados, salga de la habitación inmediatamente. Ventile si es posible. No vuelva a entrar en la dassa social información de la companya desaparecido. Mantengase fuera del alcance de niños y ANIMALES DOMESTICOS. PRIMEROS AUXILIOS: Para cualquier tipo de contacto, siga las instrucciones v contacte al centro de control de envenenamiento, a un doctor o a la sala de emergencias inmediatamente, Culos: Enluaque inmediatamenta con agua. Retire los lentes de contacto y siga enjusgando con agua limpia de a llave durante 15 minutos. Si ES INGERIDO: Enjagos su boca inmediatamente con agua impia de agua o leche. Siga con un jugo citrico, si es posible. No indusca al vómito. CONTACTO CON LA PIEL: Quitese la ropa contaminada, y eniuaque el area de la piel contaminada con agua limpia durante 15 No reuse el envase. Enjuague el envace y coloque su tapa antes de botarlo a la basura. Mantenga la botella en posición vertical. Firm Info

Unacceptable label

- Inconspicuous warning
- Poor contrast
- Too much text
- Lacking proper warnings
- Deceptive disclaimers

Example of unacceptable label



formula designed to lubricate, preserve Its HIGH CONCENTRATION enables it to act in handling a wide variety of tough maintenance jobs. surfaces. and protect a variety of Product Name

This safe, nonstaining lubricant eliminates squeaking and binding and · VINYL · LEATHER • RUBBER · WOOD extends the life of: METAL . PLASTIC

Extends life of parts and components by eliminating constant wear from friction.

Super Concentrated Silicone Lube made up of 25% Silicone-vouvie the silicone of any other lubricant. ile so it can go to work for you in No other lubricant can do all of this! We've found the perfect way to Economical to use because it's CONCENTRATED FIN make this product extrem nearly any circumstance.

Try These Other Fabrilous From Mende

Air Tool Conditioner, Lawn Mower Tune-U

Apply thin

and squeaking.

Spray on part to eliminate sticking, binding

coat to surfaces DIRECTIONS...

from open flame. Do not store or expose to temperature scholars.

120°F HARMELU DR FATAL IF SWALLOWED. In mosessed, respirate to industriance above to find induse verifing. Contact physician immediately. Do NOT SPRAY IN EYES. In case of eye contact flush with water for SPRAY IN EYES. In case of eye contact flush with water for Simplicities and contact physicians. Use with proper verifiation as directed, intentional missas ho reserved.

Banned hazardous substances

- Banned because CPSC has found that the labeling required by the FHSA would not be sufficient to protect public safety
- Listed at 16 C.F.R. §1500.17
 - certain extremely flammable water repellant mixtures for indoor use
 - carbon tetrachloride
 - certain liquid drain cleaners without special packaging
 - cyanide salts

Firms' Responsibilities

- Determine whether each product meets the two-part definition of a hazardous substance
- Know the hazards presented by each product
 - specific formulation
 - use of product
 - exposure to the product
 - foreseeable misuse of product
- Develop label
- Label product in accordance with FHSA
- Package product in accordance with PPPA

Helpful Links

- CPSC web site
 - www.cpsc.gov
- Summary of the FHSA
 - http://www.cpsc.gov/businfo/regsumfhsa.pdf
- The FHSA and its regulations
 - www.cpsc.gov/businfo/fhsa.html

FHSA Contact at CPSC Headquarters' Office of Compliance

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